NEW-YORK TRIBUNE.

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THE SEMI-WEEKLY TRIBUNE

NEW-YORK WEEKLY TRIBUNE

NEW-YORK TRIBUNE. SLAVERY IN THE TERRITORIES.

SPEECH OF HOX, JOHN A. DIX OF N. Y. ON THE BILL TO ESTABLISH A TERRITORIAL GOVERNMENT IN OREGON.

public domain I think may fairly be considered a necessary incident to the power of acquiring territory; and this not only in respect to the disposition which may be made of the naked soil, as it has been denominated, but in respect to the classes of persons who are permitted to occupy it, and the conditions of the occupation. I consider this unrestricted power as an insepatable incident of sovereignty, to be exercised by the supreme authority of the organized community or Statelin which it resides. The power of acquisition is itself untafficted by the terms of our social compact, so far as the objects of acquisition are concerned. It is incidental also, It is derived from the power of making war and treaties; and the limits to the exercise of these powers are to be found in fundamental rules and principles applicable to all organized societies.

But I do not, for the purposes of my argument, place the power on this ground. I assign to it an origin less likely, I think, to be questioned. I place it on that provision of the Constitution which gives Congresspuwer to dispose of and make all needful rules and requisitions respecting the territory or other property belonging to the United States.

I am aware that this clause of the Constitution has recently received a construction which confines the action of the Government in respect to the public domain to the narrowest possible limits—a construction which leaves to Congress the mere right to regulate the mode in which the public land shall be surveyed, brought into harket, and sold, without any power to regulate the political or municipal affairs of those who settle upon it while they are acquiring the requisites usually exacted as conditions of their admission into the Union. This construction is subversive of every idea of sovereignty in the State (tuse the word in its largest sense) as the owner of the soil. It reduces the Government of the Union States to the condition of a mere individual proprietor of land, without as single attribute of political power. Su

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pected to be acquired, that Mr. Madison pronounced that clause as conferring "a power of very great importance?"

If we take these two numbers of the Federalist, (the 38th and the 43d) the reasonings of which are directly connected by himself, in conjunction with his subsequent participation in legislative acts, by which the Ordinance of 1787 was enforced, and similar provisions were applied to other portions of the public domain, his interpretation of the Constitution, in respect to the powers of Congress over the territory of the United States, cannot well be doubted. But if any lingering doubt should remain in respect to Mr. Madison's opinion as to the right of Congress to legislate in respect to the municipal concerns of the persons residing upon the territory belonging to the United States, it will be removed by his declaration in Congress in 1790, that, though Congress was restricted by the Constitution from taking measures to abolish the slave-trude, yet there was a variety of ways in which it could countenance abolition, "and regulations might be made in relation to the introduction of them (slaves) into the new States to be formed out of them (slaves) into the new States to be formed out of them (slaves) into the new States to be formed out of the western territory." I have been thus particular in explaining Mr. Madison's opinion, not only on account of the hich autherity which it carries with it, but because, from the manner in which it has been clied, it might seem to support conclusions which, in my judgment, derive no strength from it whatever.

Let me now call the attention of the Senate to the acts of Congress by which this construction of the Constitution is supported, for the purpose of exhibiting the force it derives from legislative precedents.

1. The Ordinance of 1787 was recognized by Chapter 4, let Session 1st Congress. The Preamble recites that it is requisite certain provisions should be made, "&e in order that the said Oredinance" may continue to have in the first footsteps by which th

States. Congress did not impose any restriction on the tenure of Slaves then held in the Territory; that might have impaired vested rights of property under the local law, which the United States had covenanted in the Treaty of cession to maintain and protect. But Congress not only proceeded, at once, to prohibit the importation of Slaves from foreign countries, but to prohibit their introduction from the States of the Union, excepting when accompanying and belonging to citizens of the United States moving into the Territory to become residents. This was to impose restrictions upon its extension, even within the Territory in which it existed. It was a direct prohibition of the domestic Slave trade. It was an exercise of power, in respect to the Territories, which Congress did not possess in respect to the States. It was an anticipation, by four years, of the time at which Congress was authorized to prohibit the importation of Slaves into the original States. This act was signed by Jefferson.

V. On the 11th January, 1805, an act was passed establishing the Territory of Michigan, with a government "in all respects similar to that provided by the Ordinance of Congress, passed on the 13th day of July, 1787, for the government of the territory of the United States north-west of the river Orbio."

VI. On the 3d of February, 1809, a similar government was established for the Territory of Illinois.—These last two acts also passed under Mr. Jefferson's Administration.

VII. On the 3d of Pobruary, 1819, a set was passed "prore of Slaves then held in the Territory ;

my other people. If we had seen restricted to the of the thirteen original States, how different would been the result of our decennial enumerations:

- same principle governs the white and the black s. The laws of labor, subsistence, and populated on both, though not everywhere with the same

Mal for the Compression of partners with the control of the price of t

this Act, subject, nevertheless, to be altered, modified, or repealed by the Governor and Legislative Assembly of the said Territory of Oregon."

3d. That "the laws of the United States are hereby extended over and declared to be in force in said Territory, so far as the same or any provision thereof may

in order to see what rights, privileges, and immunities the people of Oregon are to acquire, we must refer
to the act organizing the Torritory of lows. The 12th
section of this act provides "that the inhabitants of the
'said Territory shall be entitled to all the rights, privileges, and immunities heretofore granted and secured
to the Territory of Wisconsin and its inhabitants. Ac.
We must next have recourse to the act organizing
the Territory of Wisconsin. The 12th section of this
set provides. "that the inhabitants of the said Territory shall be entitled to, and enjoy, all and singular the
rights, privileges, and advantages granted and secured
to the people of the Territory of the United States
north-west of the River Ohio, by the articles of the
compact contained in the ordinance for the government of the said Territory, passed on the 13th day of
July, 1787; and shall be subject to all the conditions
and restrictions and prohibitions in said articles
of compact imposed upon the people of the said Territory."
It will be seen that there is an essential difference in

and restrictors and restrictors and restrictors. It will be seen that there is an essential difference in the language of the two sections. The 12th section of the act organizing the Territory of lows secures the rights, privileges and immunities secured to the Territory of Wisconsin and its inhabitants, including the ordinance of 1787; but it does not expressly impose the conditions restrictions and prohibitions contained in that ordinance. Now, I suppose the exclusion of Slavery from the North-west Territory by the ordinance is to be referred rather to the class of restrictions and prohibitions than to that of privileges and immunities. Under such a construction of the act, Slavery would not have been excluded from Iowa by the 12th section of the act establishing a Government for that Territory, nor would it be excluded from Oregon by that portion of this bill which secures to the inhabitants "the rights, privileges and immunities herefore granted and secured to the Territory of lows and its inhabitants."

me is to be referred rather to the class of restrictions and prohibitions than to that of privileges and impurities. Under such a construction of the act, it is a single and the province of the reduced they will not be act to the construction of the set of the reduced they will not be act to the reduced they will not be act to the reduced they will not be act to trade among them where the restriction of the such as the triplets, privileges and immunities beretology and a secured to the travelity action of the set of the set of the reduced to the travelles action of the set of

FIVE DOLLARS A YEAR. WHOLE NO. 2255.

By Telegraph to the New-York Tribune.

New Chief Justice of Maryland.

The Governor of this State has appointed WM. Fatck, Esq. Chief Justice of Maryland, in place of the The Markets since the 4th remain quiet w

The National Anniversary. BALTIMORE, Wednesday, July 5. The Anniversary of the Fourth passed of quietly,

decently and soberly. No accident happened, except ing that a lady was slightly injured by fire works. A! Washington the day was celebrated in a magnifi cent manner-characterized by no accident or unpleas

er, Capt. Berry arrived here on Tuesday morning about 6 o'clock, in fifty eight hours from Charleston. We are ndebted to our friends in that city for copies of the

FROM CHARLESTON.-The steamship Southern

LAYER FROM HAVEL.-The brig Hayti, Captain Cutto, which sailed from Port an Prince on the 20, hult. eports that complete tranquillity had been restored.

FREE SOIL MEETING AT LYNN, MASS .- A large and very enthusiastic meeting of the friends of Free Soil, was held in Lynn on Friday night last. Hon. Josiah Breed acted as President, and Journa R. Gippinas made a masterly address of two hours in length. The following Resolution of thanks was adopted with ac-

clamation:

Resolved. That the moral courage and spirit of selfsacrifice displayed by Joshua R. Galdings in contest
with the Slave Power, have given him a place in our
hearts with Hampden and Wilberforce, and the champions of Liberty of every age, whose memory can never
die. May Gud bless him, with the immortal fourteen,
and all others who have come to his aid, and spare his
life till the blessings of Liberty and Peace have spread
throughout the land.

The U.S. steamer Fanny, Capt. Scott, arrived an early hour this morning from Vera Cruz, whence The U.S. steamer Faliny, Call For Vera Cruz, whence the sailed on the 22d inst.
Major Gen. Butler, Commander in Chief of the Army in Mexico, with his staff, and Hon. A. H. Sevier, one of the U.S. Commissioners to Mexico, came passengers.

From Belize, Honduras.

We have received a file of the Observer and Gazette, from Belize, to the 14th inst.

The Indians who had taken and occupied Bacalar,
Yucatan, have applied to the British authorities at
Belize, for leave to continue commercial intercourse in
that settlement, wader the protection of the British flag.
The following reply was made by Her Majesty's Super-

GOVERNMENT HOUSE, BRITISH HONDURAS,

Government House, Barrish Honderas, May 9, 1848.

Six: I have received a message from you, communicated by Mr. Austin Cox, expressing the wish of the Indians now in Bacalar to be permitted to carry on their intercourse with the inhabitants of British Honduras on the same footing as the Speniards have always done.

In reply to this communication, I beg to assure you that the same protection will be afforded to the Indians of Yucatan in British Honduras which is extended to the subjects of other nations. They will enjoy the full protection of our laws, and they will be required to conform to them. As a roof of this I may mention, that a report having yesterday reached me that two indians had been shot at and killed within our limits, the proper authorities were forthwith dispatched to the spot in order to institute the necessary inquiries. I have the honor to be, &c. C. St. JOHN FANCOURT,

I arrived at Fort Suelling to da up 21, 1848. From the St. Louis Republican, June 20.

I arrived at Fort Snelling to-day, after a pleasant run of six days and a half.
On our arrival at Wahashaw's prairie, I was somewhat astonished at meeting Capt. Lastman, with troops
encamped on the bank. It seems that the Winnebagees,
who are being removed to their new home, after having got as far as this spot, refused to go any fartherinstigated, no doubt, by some of the traders who live
near their old haunts, and who are fearful that they will
not be able to get a license to trade among them where
they are going.

OFFICE, TRIBUNE BUILDINGS. BY GREELEY & McELRATH. NEW-YORK, THURSDAY MORNING, JULY 6, 1848.